



IT IS ORDERED as set forth below:

Date: October 20, 2020

Paul Baisier

**Paul Baisier
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 7
)	
MICHAEL J. BLYDENSTEIN,)	CASE NO. 18-71767-PMB
)	
Debtor.)	

S. GREGORY HAYS, Chapter 7 Trustee)	
for the Estate of Michael J. Blydenstein,)	
)	
Movant,)	
v.)	CONTESTED MATTER
)	
PINGORA LOAN SERVICING, LLC;)	
FULTON COUNTY TAX COMMISSIONER;)	
GORDON LOFTS CONDOMINIUM)	
ASSOCIATION, INC.,)	
)	
Respondents.)	

**ORDER ON TRUSTEE'S MOTION FOR AUTHORITY TO (A) SELL REAL PROPERTY
OF THE ESTATE FREE AND CLEAR OF ALL LIENS, INTERESTS, AND
ENCUMBRANCES AND (B) DISBURSE CERTAIN PROCEEDS AT CLOSING**

On September 25, 2020, S. Gregory Hays, as Chapter 7 Trustee (“**Trustee**”) for the bankruptcy estate (the “**Bankruptcy Estate**”) of Michael J. Blydenstein (the “**Debtor**”), filed *Trustee’s Motion for Authority to (A) Sell Property of the Bankruptcy Estate Free and Clear of All Liens, Interests, and Encumbrances and (B) Disburse Certain Proceeds at Closing* [Doc. No. 67] (the “**Sale Motion**”), seeking, among other things, an order from the Court, authorizing the sale (the “**Sale**”) of that certain improved real property with a common address of 215 Mitchell Street, #9, Atlanta, Fulton County, Georgia 30303 (the “**Property**”) to Nicholas S. Graham (the “**Purchaser**”) “as-is, where-is, with all faults” for an all-cash sale price of \$260,000.00 (the “**Purchase Price**”) in accordance with the terms of a *Trustee’s Purchase and Sale Agreement* (the “**Sale Agreement**”) attached to the Sale Motion as Exhibit “A.”

Also on September 25, 2020, Trustee filed a *Notice of Hearing* [Doc. No. 69] (the “**Notice**”), setting the Sale Motion for hearing on October 19, 2020 (the “**Hearing**”).

Counsel for Trustee certifies that he served the Notice on all requisite parties in interest. *See* [Doc. No. 69].

Counsel for Trustee appeared at the calendar call for the Hearing. No creditors or parties in interest appeared to oppose the relief requested in the Sale Motion. No creditors or parties in interest filed an objection to the relief requested in the Sale Motion.

Having considered the Sale Motion and the entire record in this matter; no creditors or parties in interest having objected to the relief requested in the Sale Motion; and for good cause shown, it is hereby

ORDERED that the Sale Motion is **GRANTED**. It is further

ORDERED that Trustee is authorized and directed to take any and all actions necessary or

appropriate to (i) consummate the Sale of the Property to Purchaser, (ii) execute, perform, consummate, implement, and close fully the Sale together with all additional instruments and documents that may be reasonably necessary; and (iii) execute and perform all of the obligations of Trustee under the Sale Agreement. It is further

ORDERED that this Order shall be binding upon all creditors (whether known or unknown) of Debtor, Trustee, the Bankruptcy Estate, and their respective successors, assigns, affiliates, and subsidiaries. It is further

ORDERED that upon consummation of the closing of the Sale, the Property shall be transferred and assigned to Purchaser free and clear of all liens, claims, interests, and encumbrances with all valid and enforceable liens, claims, or interests attaching to the sale proceeds with the same extent, validity, and priority that they held in the Property. It is further

ORDERED that the Sale of the Property to the Purchaser is “as is,” “where is,” and without representation or warranty, express or implied, from Trustee. It is further

ORDERED that, under Fed. R. Bankr. P. 6004(h), this Order shall be effective and enforceable immediately upon entry, and its provisions shall be self-executing. In the absence of any person or entity obtaining a stay pending appeal, Trustee and Purchaser are free to close the Sale of the Property at any time, at which time the gross sales proceeds shall be paid to Trustee pursuant to this Order, and those disbursements requested by Trustee in his Sale Motion are authorized to be made. It is further

ORDERED that this Court retains exclusive jurisdiction over any action relating to, based upon, or arising from disputes or controversies relating to or concerning the Sale, the Sale Agreement, or this Order.

[END OF DOCUMENT]

Order prepared and presented by:

HERBERT C. BROADFOOT II, P.C.
Attorney for Chapter 7 Trustee

By: /s/ Herbert C. Broadfoot II

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Identification of parties to be served:

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